

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

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Larry Jermaine McCool,

Civ. No. 19-158 (SRN/BRT)

Petitioner,

v.

**ORDER**

Michelle Smith,

Respondent.

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The above matter comes before the Court upon the Report and Recommendation of United States Magistrate Judge Becky R. Thorson dated March 11, 2019. No objections have been filed to that Report and Recommendation in the time period permitted. Based upon the Report and Recommendation of the Magistrate Judge, upon all of the files, records, and proceedings herein, the Court now makes and enters the following Order.

**IT IS HEREBY ORDERED** that:

1. The petition for a writ of habeas corpus of petitioner Larry Jermaine McCool [Doc. No. 1] is **DISMISSED**;
2. McCool's application to proceed *in forma pauperis* [Doc. No. 2] is **DENIED**; and
3. No certificate of appealability will be issued.

**LET JUDGMENT BE ENTERED ACCORDINGLY.**

Date: April 1, 2019

s/Susan Richard Nelson  
SUSAN RICHARD NELSON  
United States District Judge